

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CLANIAH HARTS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 2:21-cv-01696-BAT

**ORDER REVERSING AND  
REMANDING**

The Court GRANTS the stipulated motion to reverse and remand this matter and hereby  
ORDERS:

1. This case is reversed and remanded for further administrative proceedings for an  
administrative law judge (ALJ) to issue a new decision under sentence four of 42 U.S.C. §  
405(g).

2. On remand, the Appeals Council will instruct a new ALJ to:

a. Further develop the record and:

b. Obtain evidence from a medical expert related to Plaintiff's physical impairments,  
including her alleged fibromyalgia and follow the guidance in Social Security Ruling 12-  
2p;

1 c. Reevaluate the medical and nonmedical opinions of record in accordance with 20  
2 C.F.R. § 416.927;

3 d. Reevaluate Plaintiff's maximum residual functional capacity;

4 e. Reconsider Plaintiff's subjective allegations pursuant to 20 C.F.R. § 416.929;

5 f. If warranted by the expanded record, obtain supplemental evidence from a  
6 vocational expert evidence to clarify the effect of the assessed limitations on Plaintiff's  
7 ability to perform work available in significant numbers in the national economy, and  
8 resolving any inconsistencies with the Dictionary of Occupational Titles.

9 Additionally, based upon the parties' stipulated agreement to remand, Plaintiff may apply  
10 for and may be awarded reasonable attorney fees under the Equal Access to Justice Act, 28  
11 U.S.C. § 2412, upon proper request to the Court.

12 DATED this 9<sup>th</sup> day of June, 2022.

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16 BRIAN A. TSUCHIDA  
17 United States Magistrate Judge  
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